

02570 U.S. PTO  
031904

Express Mail Label  
No. EV258650257US

Patent Application

22857 U.S. PTO  
10/804995

031904

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. of: David M. Dolezal, et al. Atty. Docket: 28982-01

Serial No.: 10/

Filed: March 19, 2004

For: Breathing Air Filtration System

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TRANSMITTAL

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed herewith for filing are the following items:

1. U.S. Patent Application, consisting of 13 pages of specification, 5 pages of claims, 1 page of abstract and 5 sheets of drawings (including Figs. 1-17);
2. Appointment of Attorneys, executed by the inventors (2 pages);
3. Declaration and Petition (3 pages);
4. Declarations Claiming Small Entity Status Under 37 CFR 1.9(f) and 1.27(b) – Independent Inventor (2 pages) - one signed by each inventor;
5. Application Data Sheet (4 pages);
6. Copy of Assignment (1 page), and original Recordation Cover Sheet (1 page);
7. Fee Transmittal for FY2004 (1 page);
8. Check in the amount of \$520.00 in payment of the filing fee;
9. Check in the amount of \$40.00 in payment of the assignment recording fee; and
10. Return Receipt Post Card.

The Commissioner is authorized to charge any further fees necessitated by this transmittal, or credit any overpayment, to Deposit Account No. 12-0449.

Please direct any questions or comments to Frederick W. Niebuhr at (952) 896-1574.

Respectfully submitted,

Date: March 19, 2004

By: Frederick W. Niebuhr  
Frederick W. Niebuhr  
Registration No. 27,717  
CUSTOMER NO. 23452

Certificate of Express Mailing

Pursuant to 37 C.F.R. 1.10, I hereby certify that this Transmittal and accompanying documents ( items 1-10 identified above) are being deposited with the United States Postal Service by "Express Mail Post Office to Addressee" service, addressed to: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, as of the date and under the mailing label indicated below:

Date of Deposit: March 19, 2004

Express Mail Mailing Label No. EV258650257US

Geralyn M. Vita  
Geralyn M. Vita

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02570

U.S. PTO

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 560.00)

 PTO/SB/17 (10-03)  
 Approved for use through 07/31/2006. OMB 0651-0032  
 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
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## Complete if Known

Application Number	10/
Filing Date	March 19, 2004
First Named Inventor	David M. Dolezal
Examiner Name	
Art Unit	
Attorney Docket No.	28982-01

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

Deposit Account Number	12-0449
Deposit Account Name	Larkin Hoffman Daly & Lindgren Ltd.

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) or any underpayment of fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	385.00
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$ 385.00)					

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	35	-20** =	15	X	9.00	=	135.
Independent Claims	2	- 3** =		X		=	
Multiple Dependent							

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple dependent claim, if not paid	
1204	86	2204	43	** Reissue independent claims over original patent	
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$ 135.00)					

\*\*or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee (\$)	Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	40.00
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 40.00)

## SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Frederick W. Niebuhr	Registration No. (Attorney/Agent)	27,717	Telephone	952-896-1574
Signature				Date	March 19, 2004

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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